#### From the INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
SEPPO LAINE OY
Itämerenkatu 3b

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing (day/month/year)

25.10.2004

Applicant's or agent's file reference PL149PCT

International filing date (day/month/year)

Priority date (day/month/year)

international application No. PCT/FI 03/00546

FI-00180 Helsinki

**FINLANDE** 

04.07.2003

12.07.2002

IMPORTANT NOTIFICATION

Applicant

COMPTEL Oyi et al

- 1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
- 2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- 3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

#### 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:



European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 **Authorized Officer** 

Finnie, A

Tel. +49 89 2399-8251





#### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PL149PCT		FOR FURTHER ACTION  See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)					
International application No. International filin PCT/FI 03/00546 04.07.2003			-	date (day/month/year)	Priority date (day/month/year)		
			04.07.2003		12.07.2002		
Internation H04L12		nt Classification (IPC) o	r both national classifica	tion and IPC			
Applicant COMPT		ri et al					
			xamination report has he applicant accordin		s International Preliminary Examining		
O <del>T</del> L:	:- DED	ODT	olođe obooto isolodi	u a thin navar abant	*		
2. Thi	IS KEP	OHI CONSISTS OF A TOTAL	al of 5 sheets, includi	ng this cover sheet.			
∴⊠	This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of 7 sheets.						
			relating to the follow	ing items:			
1	⊠	Basis of the opinion					
- 11		☐ Priority ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability ☐ Lock of unity of invention					
IV ☐ Lack of unity of invention  V ☐ Reasoned statement under Rule 66.2(a)(ii) with regard to nove citations and explanations supporting such statement  VI ☐ Certain documents cited				lty, inventive step or industrial applicability;			
					•		
VII		Certain defects in th	ne international applic	ation			
VII	I 🗆	Certain observation	s on the international	application			
				·			
Date of su	ubmissio	on of the demand		Date of completic	n of this report		
12.02.20	004		·	25.10.2004			
Name and preliminar	ry exami	g address of the internat ining authority:	ional	Authorized Office	Facultania Palancan		
<i>(</i> )	<b>n</b> D-8	ropean Patent Office 30298 Munich . +49 89 2399 - 0 Tx: 52	:3656 epmu d	Forster, G			
<u> </u>		x: +49 89 2399 - 4465	<del></del>	Telephone No. +	49 89 2399-8986 ***********************************		

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FI 03/00546

i. Dasis di lile lebui	asis of the repo	Basis of the repo	rt
------------------------	------------------	-------------------	----

1. With regard to the **elements** of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)):

	Des	cription, Pages					
	1-15	5	as published				
	Clai	Claims, Numbers					
	1-23	3	received on 14.02.2004 with letter of 12.02.2004				
	Dra	wings, Sheets					
	1/4-	4/4	as published				
2.		Vith regard to the <b>language</b> , all the elements marked above were available or furnished to this Authority in the anguage in which the international application was filed, unless otherwise indicated under this item.					
	The	These elements were available or furnished to this Authority in the following language: , which is:					
		the language of a tra	inslation furnished for the purposes of the international search (under Rule 23.1(b)).				
		the language of publ	ication of the international application (under Rule 48.3(b)).				
		the language of a tra Rule 55.2 and/or 55.	nslation furnished for the purposes of international preliminary examination (under 3).				
3.			<b>otide and/or amino acid sequence</b> disclosed in the international application, the examination was carried out on the basis of the sequence listing:				
		contained in the inte	rnational application in written form.				
		filed together with th	e international application in computer readable form.				
		furnished subsequer	ntly to this Authority in written form.				
		furnished subsequer	ntly to this Authority in computer readable form.				
		The statement that t in the international a	he subsequently furnished written sequence listing does not go beyond the disclosure pplication as filed has been furnished.				
		The statement that t listing has been furn	he information recorded in computer readable form is identical to the written sequence ished.				
4.	The	amendments have re	esulted in the cancellation of:				
		the description,	pages:				
		the claims,	Nos.:				
		the drawings,	sheets:				

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FI 03/00546

5. 🗆	This report has been established as if (some of) the amendments had no	t been made, si	nce they have
	been considered to go beyond the disclosure as filed (Rule 70.2(c)).		•

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

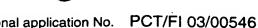
V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: No:	Claims Claims	1-23		
Inventive step (IS)	Yes: No:	Claims Claims	1-23		
Industrial applicability (IA)	Yes: No:	Claims Claims	1-23		

2. Citations and explanations

see separate sheet



to section V.

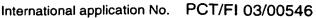
- The present invention relates to a method for limiting and/or monitoring the use of a data communications connection subject to payment in a packet-switched connection network, to means and to a computer software product therefore, according to the features of the amended independent claims 1, 12 and 23 respectively.
- 2. The closest prior art document is WO-A1-02 37759 (first document cited in the international search report).
- 3. According to the features of the independent claims the inventive step consists in that a message is received from the signalling connection concerning the interruption or termination of the session transmitted over the mutual data communications connection, and/or state data is received from the billing system, over the message connection concerning an absence in the billing system of the payment required for providing the session being transmitted over the mutual data communications connection in response to the message concerning the interruption or termination of the session, and/or to the state data received from the billing system, at least one traffic limiter is instructed to break, interrupt, or close the session over the mutual data communication, and a two-way signalling link is set between the connection-formation system and the billing system, through the mediator.

The underlying concept is not disclosed in or rendered obvious by the cited prior art documents. The subject-matter of the independent claims thus fulfils the requirements of Article 33 PCT.

4. The dependent claims contain further details on the subject-matter of the respective independent claims. These dependent claims merely limit the scope of protection sought by the independent claims and are therefore also considered to fulfil the requirements of Article 33 PCT.

Remarks concerning clarity and formal deficiencies

# INTERNATIONAL PRELIMINARY International Examination Report - SEPARATE SHEET



- 1. The description has not been modified to bring it into agreement with the numbering of the amended independent claims, Rule 5.1(a)(iii) PCT cf. on page 1, lines 8 and 13 and on page 3, lines 12 and 13.
- 2. The closest prior art document WO-A1-02 37759 should have been acknowledged in the opening part of the description, Rule 5.1(a)(ii) PCT.
- 3. In claim 23 the wording should have been changed to '... in that it includes <u>all the</u> means according ...' to increase the clarity of this claim, Article 6 PCT.